



# DEPARTMENT OF CITY PLANNING

## RECOMMENDATION REPORT

### West Los Angeles Area Planning Commission

**Date:** February 21, 2018  
**Time:** After 4:30 p.m.  
**Place:** Henry Medina West LA Parking Enforcement Facility  
11214 W. Exposition Blvd., 2<sup>nd</sup> Floor  
Los Angeles, CA 90064

**Public Hearing:** Required  
**Appeal Status:** Not further appealable under LAMC 11.5.7.C-6  
**Expiration Date:** February 28, 2018

**Case No.:** DIR-2017-2942-DRB-SPP-1A  
**CEQA No.:** ENV-2017-2943-CE  
**Related Cases:** None  
**Council No.:** 5-Koretz  
**Plan Area:** Westwood  
**Specific Plan:** Westwood Village Specific Plan; Westwood Community Design Review Board; West Los Angeles Transportation Improvement and Mitigation Plan  
**Certified NC:** Westwood  
**GPLU:** Community Commercial  
**Zone:** C4-2D-O  
**Appellant:** Steven D. Sann  
**Applicant's Representative:** Margaret Taylor  
Apex LA  
**Applicant:** Cary Berger  
Artisanal Brewers Collective

### PROJECT

**LOCATION:** 1099 South Westwood Boulevard

**PROPOSED PROJECT:** Project Permit Compliance and Design Review approval with conditions for façade improvements to an existing patio, installation of a rooftop equipment screen, and new signage to an existing Restaurant establishment.

**REQUESTED ACTION:** **Appeal** of the Director of Planning's Conditional Approval of a Design Review and Project Permit Compliance pursuant to Section 11.5.7 and Section 16.50 of the Los Angeles Municipal Code (LAMC).

### RECOMMENDED ACTIONS:

1. **Deny** the Appeal; and
2. **Sustain** the Determination of the Director of Planning in approving façade improvements to an existing patio, installation of a rooftop equipment screen, and new signage to an existing Restaurant establishment; and
3. Determine that based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15311, Article III, Class 11, Category 1 of the City of Los Angeles CEQA Guidelines, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

VINCENT P. BERTONI, AICP  
Director of Planning

Approved by:

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Faisal Roble, Principal City Planner

Reviewed by:

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Debbie Lawrence AICP, Senior City Planner

Prepared by:

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Jason Chan, City Planner  
Jason.chan@lacity.org

**ADVICE TO PUBLIC:** \* The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 532, City Hall, 200 North Spring Street, Los Angeles, CA 90012 (Phone No. 213-978-1300)*. While all written communications are given to the Commission for consideration, the initial packets are sent to the Commission's Office a week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendaized herein, or in written correspondence on these matters delivered to the agency at or prior to the public hearing. As a covered entity under Title II of the American Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request no later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300

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Exhibit B: Director Determination DIR-2016-2942-DRB-SPP  
Exhibit C: Categorical Exemption ENV-2017-2943-CE  
Exhibit D: Approved Project Plans  
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## PROJECT ANALYSIS

### Appellate Decision

Pursuant to Section 11.5.7 and Section 16.50 of the Los Angeles Municipal Code (LAMC), appeals of Project Permit Compliance and Design Review are made to the Area Planning Commission. The appellate decision of the Area Planning Commission is final and effective as provided in Charter Section 245.

### Project Summary

The proposed project involves a ground floor tenant space within the Janns Investment Company Building, also known as the Janss Dome Building, a designated Locally Significant Cultural Resource/ National Register Eligible Cultural Resource, a Los Angeles Historic Cultural Monument (HCM-364), and also identified with a 5S1 California Historic Resources Status Code due to its unique contributions to the Westwood Village. The building was constructed in 1929 in the Spanish Colonial Revival with Classical Revival Influence architectural style and encompasses 28,391 square feet. The subject property has three frontages along Broxton Avenue (to the Northeast), Kinross Avenue (to the South) and Westwood Boulevard (to the West). The subject site is designated for Community Commercial land uses on the General Plan Land Use map of the Westwood Community Plan, with the corresponding zone of C4-2D-O.

The project proposes perimeter patio improvements including the installation of new steel grid railings, new closure panels below the floor to match the concrete planters, and new patio umbrellas, all in conjunction with the opening of Broxton, a new restaurant/brewery within an existing space inside the Janns Dome Building. The restaurant features 4,458 square feet of interior floor area complemented by an 808 square foot outdoor dining patio, for a total size of 5,266 square feet.

The project also proposes the installation of a new, 5-foot, stucco screen wall that will match the color of the existing building and will be 5 feet tall. The installation will not remove or disturb any historically significant features/elements of the existing building as it will not be touching the building.

Lastly, the project proposes to install one wall sign to be centered along the existing archway windows above the main entrance doors and one village pedestrian blade sign to be centered on the north pillar adjacent to the ADA compliant entrance door.

### Background

Although the project is located within a Historic Cultural Monument, a Certificate of Appropriateness (COA) is not required as it involves façade improvements to the patio area only (which is not historically significant), the installation of a 5-foot equipment stucco screen wall that will not touch the existing building, and will not remove or disturb any significant features/ elements to the existing building, and two sign installations with no changes or removal of features to the exterior of the building.

Los Angeles Municipal Code Section 12.20.3-K states that “to require a Certificate of Appropriateness (COA), projects which may, or may not, require a building permit, including but not limited to, changing exterior paint color, removal of significant trees or landscaping, installation or removal of fencing, window and door replacement which are character-defining features of architectural styles, changes to public spaces and similar Projects”. The scope of work that is approved under this letter conforms to this provision in the LAMC.

At some point in the past, the door and window fronting Westwood Boulevard that are mentioned in the appeal were altered without proper approvals. The precise date of this alteration is unknown, but the project applicant was not involved and it is not part of the scope of work for this project. There are no current Code violations or Orders to Comply for any alterations on the site, according to a search of the Department of Building and Safety Online Image Database and a letter from the owner's representatives, dated January 4, 2018 (Exhibit G). According to the project representative, the door mentioned in the appeal was temporarily removed to protect it during the construction and moving process, and will be reinstalled in its original condition and location. A COA will be required for the restoration of the subject window. The project representative intends to file for a COA in the near future.

The applicant did not apply for a COA for door and window restoration because that process is separate and distinct from the scope of work included in the subject DRP-SPP application. Further, restoration of this façade was not requested in the DRB-SPP application and drawing. No material changes to the building are caused by this subject application, as determined by a Historic Resource Assessment performed by ESA Associates in a letter dated September 6, 2017, and concurred by the Office of Historic Resources on November 8, 2017. Thus, it was determined that a COA is not required. The window restoration was reviewed by the Neighborhood Council at their regular meeting on November 8, 2017, and the Council adopted a resolution that the applicant apply for a COA for restoration and return to another meeting for review. However, no action was taken on the subject DRP and SPP application.

The Westwood Design Review Board met on October 4, 2017 and convened a quorum of five Board Members. The vote was unanimous, recommending that the Director approve the project with conditions since it will substantially comply with Section 16.50, Subsection E of the Los Angeles Municipal Code as well as the relevant design guidelines and development provisions of the Specific Plan. The subject case determination was issued November 30, 2017, and an appeal was filed on December 15, 2017.

### **Appeal Points and Staff Responses**

The appeal of the Director of Planning's approval of DIR-2017-2942-DRB-SPP contends that:

1. **Appeal Point:** The removal and alteration to one of the character-defining exterior doors and window frames was done without obtaining a Certificate of Appropriateness.

*Response:*

The appellant contends that façade improvements were completed without the proper entitlements of a Certificate of Appropriateness. Therefore, the Director erred by not requiring the applicant to obtain a Certificate of Appropriateness for the façade improvements as part of the project request.

The Director's Determination letter DIR-2017-2942-DRB-SPP issued November 30, 2017, authorizes the approval for façade improvements to the existing outdoor patio, installation of a rooftop equipment screen, and new signage only. The Letter of Determination does not address any type of demolition or removal of any Historic features to the actual building itself including the aforementioned character-defining exterior doors and window frames. Therefore a Certificate of Appropriateness was not necessary for this case. The Determination letter clearly states that the project "will not remove any historical significant features/elements to the existing building" and that "all existing, character-defining architectural features will remain" on page 5, Findings section and on page 9, No.6 of the Project Permit Compliance Findings section.

Therefore a COA is not needed for this project. If the appellant feels that a violation has occurred in removal of character-defining features that were not addressed in the Letter of Determination, the appellant has the authority to contact the Department of Building & Safety to cite a violation.

The proposed project received a Historic Resource Assessment performed by ESA Associates dated September 6, 2017. The Historic assessment found that the scope of work was “non-impactful” and comprised “fully reversible” improvements to the existing structure. The letter also states that “after investigations, ESA found that none of the proposed modifications would adversely impact the character-defining features of the historic building”. The Office of Historic Resources concurred with the findings contained within this assessment on November 8, 2017. Thus, the Director of Planning determined that a COA was not required for the scope of work contained within the proposed project. As stated earlier, a COA will be required for restoration of the window on the façade facing Westwood Boulevard, and the door mentioned in the appeal will be restored to its original location in its original condition.

2. **Appeal Point:** The applicant submitted a set of plans to the Westwood Neighborhood Council which differ from the plans submitted to the Director of Planning.

*Response:*

The appeal contends that the applicant submitted a set of plans to the Westwood Neighborhood Council which differ from the plans submitted to the Director of Planning, and that both set of plans should match regarding each scope of work.

The project was reviewed by the Westwood Neighborhood Council at their regular meetings on October 11, 2017 and November 8, 2017, while the related Conditional Use for Alcohol (Case No. ZA-2017-179-CUB) has a separate presentation in May 2017. According to the minutes from the October 11 meeting, the plans presented at the Neighborhood Council meeting differed from the plans presented at the October 4 DRB meeting, as the restoration of the windows on the Westwood Boulevard façade was removed from the application and the drawings.

The restoration of the windows was removed because the project representative identified that restoration would be a separate process, requiring a COA. A future COA would require DRB review and approval from the Office of Historic Resources. Since the reduced scope of work does not require a COA, the applicant chose to phase the project. The restoration was not included in the subject project application, and the Director of Planning cannot require the applicant to include such an extension of the project scope of work. Further, there are no Code Violations or Orders to Comply regarding the site. In addition, the COA will require its own environmental review and a historic resource assessment. The project applicant has communicated their intent to file for a COA and has entered discussions with the Office of Historic Resources to that end.

## **Conclusion**

The appeal argues two main points: The project requires a COA because the scope of work alters a historic building, and the restoration of a window on the Westwood Boulevard façade was included at one stage of the project, but removed later. In response, the Office of Historic Resources concurred with a Historic Resources assessment that the project would not harm the historic building, and that a COA will be filed in the future, for the phased improvements and restoration of the subject site. In conclusion, the appeal points for Case No. DIR-2017-2942-DRB-SPP-1A cannot be substantiated and therefore should be denied.

